

## Message Text

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PAGE 01 STATE 134678  
ORIGIN NEA-10

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FM SECSTATE WASHDC  
TO AMEMBASSY NEW DELHI IMMEDIATE

C O N F I D E N T I A L STATE 134678

E.O. 11652: GDS

TAGS: SHUM,IN

SUBJECT: HUMAN RIGHTS-DRAFT COUNTRY EVALUATION PLAN FOR  
INDIA

REF: STATE 133681

1. FOLLOWING IS DRAFT TEXT OF COUNTRY EVALUATION PLAN FOR  
INDIA ON HUMAN RIGHTS. FORMAT FOLLOWS OUTLINE PROVIDED IN  
REFTEL. AS NOTED THEREIN, WE WILL NEED TO SUBMIT PLAN FOR  
INDIA TO D/HA BY JUNE 15. REQUEST THEREFORE THAT YOUR  
COMMENTS REACH US BY OUR OPENING OF BUSINESS MONDAY JUNE 13.

2. (A) CONDITION OF HUMAN RIGHTS IN INDIA;  
HUMAN RIGHTS AND DEMOCRACY HAVE BEEN FULLY RESTORED IN  
INDIA. THE HUMAN RIGHTS "PROBLEMS" WHICH EMERGED AS A  
RESULT OF THE POLICIES OF THE PREVIOUS INDIAN GOVERNMENT  
AND WHICH BECAME A FACTOR IN INDO-U.S. RELATIONS DISAP-  
PEARED WITH THE INAUGURATION OF THE DESAI GOVERNMENT IN  
MARCH.

(1) (A,B,C,D,E) RESPECT FOR THE INTEGRITY OF THE PERSON:  
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THE NEWLY ELECTED GOVERNMENT IS FIRMLY COMMITTED TO THE  
OBSERVANCE OF HUMAN RIGHTS. THERE HAVE BEEN NO REPORTS OF  
TORTURE, CRUEL PUNISHMENT, ARBITRARY ARREST OR IMPRISONMENT,  
DENIAL OF A FAIR PUBLIC TRIAL OR INVASION OF THE HOME SINCE

ITS INAUGURATION. PRIME MINISTER DESAI HAS ESTABLISHED A  
COMMISSION TO INVESTIGATE ALLEGATION OF ABUSES COMMITTED

DURING THE EMERGENCY IMPOSED BY THE PREVIOUS GOVERNMENT. ALL POLITICAL DETAINEES ARRESTED IN CONNECTION WITH THIS EMERGENCY HAVE BEEN RELEASED. THE ONLY POLITICAL DETAINEES STILL BEING HELD PENDING TRIAL ARE SOME SO-CALLED NAXALITES, MEMBERS OF THE EXTREMIST GROUP INVOLVED IN THE VIOLENCE IN WEST BENGAL IN THE EARLY 1970'S. THESE DETAINEES ARE BEING GRADUALLY RELEASED BY THE STATE AUTHORITIES.

3. (2) RESPECT FOR CIVIL AND POLITICAL LIBERTIES:

(A) THERE IS FULL FREEDOM OF THOUGHT, RELIGION AND ASSEMBLY IN INDIA.

(B) THERE IS FULL FREEDOM OF MOVEMENT WITHIN INDIA. FOREIGN TRAVEL AND FREE EMIGRATION ARE PERMITTED. THE PASSPORTS OF THREE PERSONS ASSOCIATED WITH THE PREVIOUS GOVERNMENT, INCLUDING THAT OF SANJAY GANDHI, HAVE BEEN IMPOUNDED IN CONNECTION WITH THE INVESTIGATION OF A CRIMINAL CASE.

(C) DEMOCRACY HAS BEEN FULLY RESTORED IN INDIA UNDER THE DESAI GOVERNMENT. PRESIDENT CARTER PRAISED INDIA FOR THE SUCCESS OF ITS DEMOCRACY IN HIS MAY 22ND NOTRE DAME SPEECH.

4. (3) THE DESAI GOVERNMENT HAS MADE A GENERAL COMMITMENT TO INCREASING RURAL INCOME LEVELS THROUGH INCREASED INVESTMENT IN RURAL AND AGRICULTURAL INFRASTRUCTURE. IT HAS PLEDGED TO ELIMINATE DESTITUTION IN TEN YEARS. IN AN APRIL 28 POLICY STATEMENT, THE GOI ANNOUNCED ITS INTENTION TO MOUNT AN INTEGRATED FAMILY WELFARE PROGRAM WHICH WILL INCLUDE POPULATION PLANNING, NUTRITION, CLOTHING, CONFIDENTIAL

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SHELTER, EDUCATION AND WOMEN'S WELFARE. THE GOAL IS TO PROMOTE THE TOTAL WELFARE OF THE FAMILY AND COMMUNITY. IN FAMILY PLANNING, IT IS STATED THERE WILL BE NO COMPULSION, COERCION, OR PRESSURE OF ANY SORT; THE GOI APPROACH IS TO BE EDUCATIONAL AND WHOLLY VOLUNTARY. CORRUPTION REMAINS A PROBLEM IN INDIA, AS MOST ELSEWHERE IN ASIA. WITH THE RESTORATION OF PRESS FREEDOM AND THE MORE EFFECTIVE FUNCTIONING OF PARLIAMENTARY GOVERNMENT, THE PROBLEM IS RECEIVING MORE ATTENTION THAN EARLIER. DESAI HAS CALLED FOR THE ERADICATION OF CORRUPTION AND HAS APPOINTED A COMMISSION TO INVESTIGATE ASPECTS OF IT.

5. (4) THE DESAI GOVERNMENT WAS ELECTED ON A PLATFORM WHICH PLEDGED TO REORE FULLY CIVIL AND POLITICAL LIBERTIES AND TO SAFEGUARD JUDICIAL INDEPENDENCE. SINCE ITS ASSUMPTION OF POWER MARCH 24, 1977, IT HAS BEEN CARRYING

OUT ITS PLEDGE, AND PUBLICLY EMPHASIZING THE IMPORTANCE IT ATTACHES TO HUMAN RIGHTS OBSERVANCE.

6. (5) QUESTION DOES NOT ARISE IN VIEW OF RECORD OF DESAI  
GOVERNMENT ON HUMAN RIGHTS TO DATE.

7. (B) ANALYSIS AND RECOMMENDATIONS;  
1-3 THE INDIAN GOVERNMENT IS IN FULL ACCORD WITH OUR  
HUMAN RIGHTS POLICY. THERE IS NO SIGNIFICANT INDIAN  
CRITICISM OF OUR POLICIES, ALTHOUGH SOME EDITORIALS IN  
THE NOW FREE PRESS HAVE CAUTIONED ABOUT EXCESSIVE ZEAL  
IN ITS IMPLEMENTATION. IT IS UNLIKELY THAT THE DESAI  
GOVERNMENT, ELECTED ON A PLATFORM OF HUMAN RIGHTS  
OBSERVANCE AND DEMOCRACY, WILL REVERSE ITS COMMITMENT.

8. (4) (A) NOT APPLICABLE.  
(B) WE CAN PROBABLY ENLIST THE SUPPORT OF THE INDIAN  
GOVERNMENT TO ADVANCE GENERALLY THE HUMAN RIGHTS CAUSE  
IN INTERNATIONAL FORA. HOWEVER THE GOI WILL LIKELY AVOID  
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GIVING SUCH SUPPORT WHEN IT MIGHT BE PUT IN DIRECT CONFLICT  
WITH THE SOVIET UNION OR CHINA, OR A THIRD-WORLD COUNTRY  
WITH WHICH IT HAS A SIGNIFICANT RELATIONSHIP. AS ONE OF  
THE FOUNDERS OF THE NON-ALIGNED MOVEMENT, INDIA GENERALLY  
AVOIDS TAKING POSITIONS WHICH SEEM TO ALLY IT WITH ONE  
LOC AGAINST ANOTHER. IT IS ALSO CONCERNED ABOUT UNDER-  
MINING THE COHESIVENESS OF THE NON-ALIGNED MOVEMENT BY  
CRITICIZING LESS DEVELOPED COUNTRIES ON ISSUES NOT  
DIRECTLY INVOLVING INDIAN INTERESTS. VANCE

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